

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Mississippi

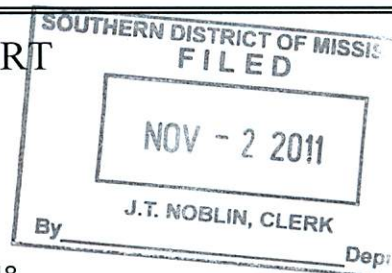
United States of America

v.

Jose Luis Santos-Garcia

Defendant(s)

Case No. 1:11mj548



CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 1, 2011 in the county of Jackson in the
Southern District of Mississippi, the defendant(s) violated:

Code Section

18 U.S.C. § 371

Offense Description

Conspiracy to Smuggle Goods from the United States

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

A handwritten signature in blue ink, appearing to read "Anthony Williams".

Complainant's signature

Anthony Williams, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: Nov. 2, 2011

A handwritten signature in blue ink, appearing to read "Robert H. Walker".

*Judge's signature*City and state: Gulfport, MS

Robert H. Walker, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

After first being duly sworn, I, Anthony Williams, do hereby state as follows:

1. I, Special Agent Anthony Williams, am a duly sworn Special Agent with the Department of Homeland Security, Homeland Security Investigations (HSI), presently assigned to the Office of the Resident Agent in Charge, Gulfport, Mississippi (RAC/GU). I have been a Special Agent since November 2009.
2. I make this affidavit in support of an arrest warrant and criminal complaint, charging **Jose Luis SANTOS-GARCIA** with conspiracy to smuggle goods from the United States, in violation of Title 18, United States Code, Section 371.
3. Based upon my personal knowledge and information I have received from others involved in the investigation, I am aware of the following facts, among others:
4. On August 31, 2011, Jackson County Sheriff's Officer (JCSO) Deputy Richard Palmer conducted a traffic stop on a 1994 Ford Ranger pickup truck bearing North Carolina license plate AAL1981. The Ford Ranger pickup truck was pulling a 2001 Hudson utility trailer bearing North Carolina license plate BS40889, which contained two four wheelers. The driver was identified as **Jose Luis SANTOS-GARCIA**, a legal permanent resident of the United States and citizen of Mexico. A consensual search of the truck revealed one flak jacket concealed in a natural void underneath the truck and two flak jackets and two pistols concealed inside the spare tire underneath the truck. The pistols were further identified as:
 - a. One 92 SS Centurion 9mm pistol displaying serial number BER304403Z
 - b. One 92 SS 9mm pistol displaying serial number BER098576.
5. On September 2, 2011, Special Agent (SA) Brent Druery, SA Sal Barrientos, and JCSO Detective Jeff Smith interviewed **SANTOS-GARCIA**. **SANTOS-GARCIA** was advised of his rights in the Spanish language and signed a waiver of rights form. **SANTOS-GARCIA** made the following statements, among others, during the interview:
 - a. **SANTOS-GARCIA** stated he was the owner of the Ford Ranger pickup truck.
 - b. **SANTOS-GARCIA** stated he was originally asked to transport the four wheelers to Mexico by another individual (Subject # 2).
 - c. **SANTOS-GARCIA** stated he did not want to transport the four wheelers to Mexico but agreed to transport the four wheelers to Houston, Texas, for \$500 plus expenses.
 - d. **SANTOS-GARCIA** stated he has known Subject # 2 for 5-6 months.

e. **SANTOS-GARCIA** stated he has transported vehicles from North Carolina to Mexico in the past for \$2,000.

f. **SANTOS-GARCIA** stated this was the first time he has transported vehicles for Subject # 2.

g. **SANTOS-GARCIA** stated that Subject # 2 borrowed the truck the night before he (**SANTOS-GARCIA**) departed North Carolina and returned the following morning with the trailer and four wheelers.

h. **SANTOS-GARCIA** stated he was supposed to call Subject # 2 when he got near Houston, Texas, and receive further instructions from Subject # 2 as to where to drop off the trailer and four wheelers.

i. **SANTOS-GARCIA** stated he had no knowledge of the firearms or flak vests being concealed within the Ford Ranger.

5. On November 1, 2011, JCSO Deputy Will Thorton conducted a traffic stop on the aforementioned Ford Ranger displaying North Carolina license plate AAL1981. The driver was Subject # 3, a U.S. citizen. A consensual search of the truck revealed the following firearms and firearm components concealed throughout various compartments underneath the truck:

- a. Smith and Wesson 45 caliber firearm displaying serial number VYY5282.
- b. Bersa 380 caliber firearm displaying serial number 985142.
- c. Bersa 380 caliber firearm displaying serial number 307915.
- d. Bersa 380 caliber firearm displaying serial number A42456.
- e. Bersa 380 caliber firearm displaying serial number B26543.
- f. Inner Arms 380 caliber firearm displaying serial number A00573.
- g. Jennings 22 caliber firearm displaying serial number 704118.
- h. Jennings 22 caliber firearm displaying no serial number.
- i. Ruger 1022 firearm displaying serial number 357-20827.
- j. Marlin 22 caliber firearm displaying serial number 05299413.
- k. Marlin 22 caliber firearm displaying serial number 91474569.
- l. Mossburg 410 firearm displaying serial number T646980.
- m. Remington 12 gauge firearm displaying serial number L133915V.
- n. Ruger 22 caliber firearm displaying serial number 236-73587.
- o. Unknown make 12 gauge firearm displaying serial number L1349318.
- p. Marlin 22 caliber firearm displaying serial number 18511993
- q. Marlin 22 caliber firearm displaying serial number 11348544.
- r. Remington 22 caliber firearm displaying serial number B1604636.
- s. Maverick Mossburg firearm displaying serial number MV25043N.
- t. Savage 22 caliber firearm displaying serial number 2223093.
- u. Unknown make 12 gauge firearm displaying serial number L2920836.

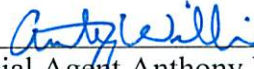
- v. Forty-four 410 caliber rounds of ammunition.
- w. Fifty 45 caliber rounds of ammunition.
- x. One hundred ninety six 9mm rounds of ammunition.
- y. Seventy one 12 gauge rounds of ammunition.
- z. One 454 round of ammunition.
- aa. Five hundred and forty 22 caliber rounds of ammunition.
- bb. Nine 380 caliber magazines.
- cc. Two 22 caliber magazines.
- dd. Two 9mm magazines.
- ee. Two 45 caliber magazines.
- ff. One 30 caliber magazine.
- gg. One Bushnell sports view 4x32 power scope.
- hh. One BSA 3x9x40 power scope.
- ii. Six miscellaneous gun stocks.
- jj. Four 12 gauge barrels.

6. On November 1, 2011, SA Brent Druery and SA Anthony Williams interviewed Subject # 3. Subject # 3 was advised of his rights in the English language and signed a waiver of rights form. Subject # 3 made the following statements, among others, during the interview:

- a. Subject # 3 stated he departed North Carolina on October 31, 2011 at approximately 7:00 pm.
- b. Subject # 3 stated he was in route to Nuevo Laredo, Mexico.
- c. Subject # 3 stated the vehicle belonged to **SANTOS-GARCIA**.
- d. Subject # 3 stated he was aware that **SANTOS-GARCIA** was previously arrested in possession of six kilograms of cocaine and unknown firearms.
- e. Subject # 3 stated he picked up the truck from the residence of **SANTOS-GARCIA** on October 31, 2011.
- f. Subject # 3 later stated he picked up the truck from an unknown Hispanic male, from an unknown location.

7. Based on the experience of your affiant and the facts and circumstances described in this affidavit, it is believed by your affiant that **Jose Luis SANTOS-GARCIA**, has conspired with others known and unknown to the investigation to commit violations of 18 U.S.C. § 554, Smuggling Goods from the United States, which makes it unlawful to fraudulently or knowingly export or send from the United States, or attempts to export or send from the United States, any merchandise, article, or object contrary to any law or regulation of the United States, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such

merchandise, article or object, prior to exportation, knowing the same to be intended for exportation contrary to any law or regulation of the United States.



Special Agent Anthony Williams
Homeland Security Investigations

Sworn to and subscribed before me on the 2nd day of November 2011.



United States Magistrate Judge